

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 00-6006-CIV-ZLOCH

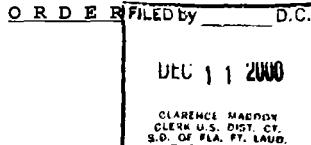
CARMEN BLANCO,

Plaintiff,

vs.

FLORIDA DEPARTMENT OF
CORRECTIONS,

Defendant .



THIS MATTER is before the Court upon the Plaintiff, Carmen Blanco's Motion For Default Judgment (DE 20). The Court has carefully reviewed the merits of said Motion and is otherwise fully advised in the premises.

The Court notes that on July 20, 2000, the Plaintiff filed the instant Motion For Default Judgement against the Defendant, Florida Department of Corrections. On July 24, 2000, the Defendant, Florida Department of Corrections filed its Answer And Affirmative Defenses (DE 21).

The Court notes that defaults are disfavored in federal court because of the strong policy of determining cases on their merits. Florida Physicians Insur. Co., Inc. v. Ehlers, 8 F.3d 780, 783 (11th Cir. 1993). The Court further notes that the Defendant, Florida Department of Corrections, has not been an unresponsive party in the above-styled cause. Specifically, the Defendant has filed a Motion To Dismiss (DE 7) and an Answer (DE 21). Based upon the foregoing, the Court finds that the entry of a default against the

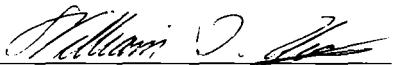
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Defendant, Florida Department of Corrections, would not be appropriate.

Accordingly, after due consideration, it is

ORDERED AND ADJUDGED that the Plaintiff, Carmen Blanco's Motion For Default Judgment (DE 20) be and the same is hereby **DENIED**.

DONE AND ORDERED in Chambers at Fort Lauderdale, Broward County, Florida, this 11th day of December, 2000.



WILLIAM J. ZLOCH
Chief United States District Judge

Copies furnished:

Andrew S. Henschel, Esq.
For Plaintiff

Elizabeth M. Rodriguez, Esq.
For Defendant